IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.47886 of 2008
BHAGIRATH SINGH
Versus
THE STATE OF BIHAR

3/ 12/12/2008. Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a police case under Sections- 409, 420, 467, 468, 469, 471 and 120B of I.P.C.

The submission is that the primary allegations are against the cashier of the bank for embezzlement. The petitioner is alleged to have been negligent but for which the embezzlement would have been detected considering the submission he was granted anticipatory bail during the period of investigation, till submission of charge-sheet.

WEB COPY NOT OFFICIAL

The impugned order does not notice anything further against the petitioner after charge-sheet has been submitted to deny him the privilege of anticipatory bail. The impugned order, contrary to the law laid down by this Court in 2006(2) P.L.J.R. 676 (Anirudh Prasad @ Sadhu Yadav vs. The State of Bihar) holds that the second application for anticipatory bail after submission of charge-sheet was not maintainable.

Having considered the facts and

circumstances of the case, let the petitioner above named surrender before the court below within four weeks when he shall be enlarged on anticipatory bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawadah in connection with Akbarpur P.S. 48/04, subject to the conditions laid down under Section-438(2) Cr.P.C.

Let a copy of the order be placed before the District and Sessions Judge, Nawadah.

WEB COPY NOT OFFICIAL

KC **(Navin Sinha, J.)**